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D&M 9/2004

PTO/SB/30 (09-03)  
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# Request for Continued Examination (RCE) Transmittal

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Application Number	09/825,298
Filing Date	04/02/2001
First Named Inventor	JOCHEN KAPPEL et al.
Art Unit	2126
Examiner Name	S. Lao
Attorney Docket Number	SSM-9.4

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/ Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Request for Continued Examination and Submission in Accordance with 37 CFR 1.114(c) ; Express Mail Certificate

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 04-1403

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☒ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	RICHARD M. MOOSE	Registration No. (Attorney/Agent)	31,226
Signature	<i>Richard M. Moose</i>	Date	04/22/2005

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
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This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**EXPRESS MAIL CERTIFICATE OF MAILING**

In re Application of: JOCHEN KAPPEL et al.  
Entitled: SYSTEM AND METHOD FOR EXCEPTION HANDLING  
USSN: 09/825,298  
Filed: April 2, 2001  
Attorney Docket No.: SSM-9.4  
Customer ID No.: 22827

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ATTORNEY DOCKET NO.: SSM-9.4 (formerly 51207-1030)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Jochen Kappel et al.	) Examiner: Sue X. Lao
	)
Serial No.: 09/825,298	) Group Art Unit: 2126
	)
Filed: April 2, 2001	) Our Client ID No.: 22827
	)
Confirmation No.: 4066	) Our Account No 04-1403
	)
For: System and Method for Exception	)
Handling	)

**REQUEST FOR CONTINUED EXAMINATION AND SUBMISSION IN ACCORDANCE**  
**WITH 37 C.F.R. §1.114(c)**

Commissioner of Patents  
U.S. Patent and Trademark Office  
Post Office Box 1450  
Alexandria, VA 22313-1450

Honorable Commissioner:

Applicants submit this paper, including an amendment and remarks in response to the final Office Action of August 23, 2004, as a submission in accordance with 37 C.F.R. §1.114(c). Per this submission and the enclosed required fee as set forth in 37 C.F.R. §1.17(e), Applicants respectfully request continued examination of the subject application.

Since this request for continued examination (RCE) is being filed after appeal, but prior to a decision on the appeal, this request should be treated as a request to withdraw such appeal and reopen prosecution of the subject application, in accordance with 37 C.F.R. §1.114(d).

In accordance with 37 C.F.R. §1.121, the present response includes the following sections.

- **AMENDMENTS TO THE CLAIMS** are reflected in the listing of claims which begins on page 3 of this paper; and
- **REMARKS** begin on page 6 of this paper.